

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 5, Page 1, Section A, Line 3, by inserting immediately after said line the following:

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4 "302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or
5 any county or municipality of this state fails to dispose of the charges of which the resident is
6 accused through authorized prepayment of fine and court costs and fails to appear on the return date
7 or at any subsequent date to which the case has been continued, or without good cause fails to pay
8 any fine or court costs assessed against the resident for any such violation within the period of time
9 specified or in such installments as approved by the court or as otherwise provided by law, any court
10 having jurisdiction over the charges shall within ten days of the failure to comply inform the
11 defendant by ordinary mail at the last address shown on the court records that the court will order the
12 director of revenue to suspend the defendant's driving privileges if the charges are not disposed of
13 and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely
14 act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify
15 the director of revenue of such failure and of the pending charges against the defendant. Upon
16 receipt of this notification, the director shall suspend the license of the driver, effective immediately,
17 and provide notice of the suspension to the driver at the last address for the driver shown on the
18 records of the department of revenue. Such suspension shall remain in effect until the court with the
19 subject pending charge requests setting aside the noncompliance suspension pending final
20 disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court
21 costs, if applicable, is furnished to the director by the individual. The filing of financial
22 responsibility with the bureau of safety responsibility, department of revenue, shall not be required
23 as a condition of reinstatement of a driver's license suspended solely under the provisions of this
24 section.

25 2. If any city, town, village, or county receives more than thirty percent of its annual general
26 operating revenue from fines and court costs for traffic violations, including amended charges from
27 any traffic violation, occurring within the city, town, village, or county, all revenues from such
28 violations in excess of thirty percent of the annual general operating revenue of the city, town,
29 village, or county shall be sent to the director of the department of revenue and shall be distributed
30 annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures
31 and fines collected for any breach of the penal laws of the state are distributed. The director of the
32 department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above
33 shall be sent to the department of revenue. If any city, town, village, or county disputes a
34 determination that it has received excess revenues required to be sent to the department of revenue,
35 such city, town, village, or county may submit to an annual audit by the state auditor under the
36 authority of Article IV, Section 13 of the Missouri Constitution. An accounting of the percent of

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annual general operating revenue from fines and court costs for traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county shall be included in the comprehensive annual financial report submitted to the state auditor by the city, town, village, or county under section 105.145. Any city, town, village, or county which fails to make an accurate or timely report, or to send excess revenues from such violations to the director of the department of revenue by the date on which the report is due to the state auditor shall suffer an immediate loss of jurisdiction of the municipal court of said city, town, village, or county on all traffic-related charges until all requirements of this section are satisfied. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. (1) The "Interim Committee on Traffic Fines and Court Costs" is hereby created to make recommendations as to the maximum amount of total annual revenue a city, town, village, or county should be allowed to receive from fines and court costs for traffic violations. The committee shall make recommendations as to whether the restriction imposed under subsection 2 of this section is appropriate, or whether the percentage should be raised or lowered. The committee shall visit municipalities identified by the state auditor as being subject to state audit for compliance with this section during 2014 and 2015, and shall conduct hearings to determine whether a consolidation of neighboring municipalities may be beneficial.

(2) The interim committee on traffic fines and court costs shall consist of the following members:

(a) Two members of the senate, with one member appointed by the president pro tempore of the senate and one member appointed by the minority leader of senate;

(b) Two members of the house of representatives, with one member appointed by the speaker of the house of representatives and one member appointed by the minority leader of the house of representatives; and

(c) Five members appointed jointly by the president pro tempore of the senate and the speaker of the house of representatives, including, but not limited to, persons representing municipal courts, the legal community, cities, towns, villages, or counties.

(3) All members shall be appointed no later than September 15, 2015. The first meeting of the committee shall be conducted no later than October 1, 2015.

(4) No later than January 5, 2016, the committee shall submit a report to the president pro tempore of the senate, the speaker of the house of representatives, and the appropriate legislative committee of the general assembly regarding the results of the study and any legislative recommendations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.